

# **AGENDA**

## **City of Plymouth**

# **PLANNING COMMISSION**

**REGULAR MEETING**  
**THURSDAY, JANUARY 20, 2022**  
**6:30 P.M.**



**9426 Main Street, Plymouth, California**

**William Klaproth, Chair**

**Melvin Cossairt, Commissioner**  
**Jason Ralphs, Commissioner**

**Stephanie Moreno, Commissioner**  
**Michael Sullivan, Vice-Chair**

**PLEASE NOTE:** The Planning Commission may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on the agenda. Members of the public who wish to speak may be subject to a three (3) minute maximum time limit when addressing the Commission, and/or the Commission may require speaker identification sheets be submitted to the Planning Commission Secretary prior to being called upon by the Chairman to provide public comment.



**CITY OF PLYMOUTH  
PLANNING COMMISSION  
REGULAR MEETING AGENDA  
THURSDAY, JANUARY 20, 2022 at 6:30 PM**

**Plymouth City Hall - 9426 Main Street Plymouth, California**

**PLANNING COMMISSION MEETING IN-PERSON OR VIA ZOOM**

**CORONAVIRUS (COVID-19) ADVISORY**

Pursuant to Assembly Bill (AB) 361, this meeting will be held in-person and electronically. In-person participation by the public is permitted and remote/electronic public participation is available in the following ways:

Join the meeting via Zoom with the link below.

<https://us02web.zoom.us/j/81660979009?pwd=SExiWmV0ZU4vR3lrOERpRkkzVC96Zz09>

Or dial in by phone: 1 669 900 9128 US

Meeting ID: 816 6097 9009  
Passcode: 185324

Members of the public participating electronically via this link and wishing to speak may do so during public comment, by using the "Raise Hand" feature in the Zoom webinar. When dialing in by phone use \*9 to raise and lower your hand and \*6 to mute and unmute your phone. Thank you.

Written comment cards can be given to the Planning Commission Secretary prior to the start of the meeting. Comments can also be submitted via email to [dknight@cityofplymouth.org](mailto:dknight@cityofplymouth.org) before 5:00 PM on the day of the meeting. All comments will be distributed to the Planning Commission and made part of the official minutes.

**William Klaproth, Chair**

Melvin Cossairt, Commissioner  
Jason Ralphs, Commissioner

Stephanie Moreno, Commissioner  
Michael Sullivan, Vice-Chair

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**1. CALL TO ORDER/ROLL CALL:**

- Roll Call
- Flag Salute

**2. APPROVAL OF PLANNING COMMISSION REGULAR MEETING AGENDA FOR JANUARY 20, 2022**

**3. PUBLIC COMMENT:**

In accordance with California Government Code Section 54954.3, the public may address the Planning Commission on any item concerning subject matter that is within the Planning Commission's jurisdiction. However, no action may be taken

on items not posted on the agenda, other than to briefly respond, refer to staff, or to direct that an item be placed on a future agenda.

**4. PRESENTATIONS:**

None

**5. CONSENT CALENDAR ITEMS:**

All matters listed under the Consent Calendar are to be considered routine and will be enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately.

**5.1 APPROVAL OF PLANNING COMMISSION REGULAR MEETING AGENDA MINUTES OF NOVEMBER 18, 2021**

**6. PUBLIC HEARINGS:**

**6.1 ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLYMOUTH TO MAKE A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT AMENDMENTS TO TITLE 19 OF THE MUNICIPAL CODE CHAPTER 19.84.040, OUTDOOR SALES AND DISPLAY, AND 19.98.020, GLOSSARY**

**RECOMMENDATION:** Hold Public Hearing, receive public testimony, review, discuss, and Adopt Resolution 2022-01

**7. UNFINISHED BUSINESS**

None

**8. NEW BUSINESS**

None

**9. REPORTS**

- Commission
- Chairperson
- Planning Director
- City Staff

**10. ADJOURNMENT**

The next regularly scheduled Planning Commission Meeting date is February 3, 2022. The meeting will begin at 6:30 PM.

**ADDITIONAL INFORMATION**

Public documents related to items on the open session portion of this agenda, which are distributed to the Planning Commission less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Planning Commission. Documents are available for inspection at the City Clerk’s office located in Plymouth City Hall.

**NOTICE:**

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk’s Office at (209) 245-6941 Ext 256 at least 48 hours prior to the meeting.

**CERTIFICATION OF POSTING OF AGENDA**

I, Dana Knight, Planning Commission Secretary for the City of Plymouth, declare that the foregoing agenda for the January 20, 2022 Regular Meeting of the Plymouth Planning Commission was posted and available for review on January 14, 2022 at the City Hall of the City of Plymouth, 9426 Main Street, Plymouth, California, 95669. The agenda is also available on the city website at [www.cityofplymouth.org](http://www.cityofplymouth.org).

Signed January 14, 2022 at Plymouth, California

*//s//*

Dana Knight  
Planning Commission Secretary

# 5.1



CITY OF PLYMOUTH  
**PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**

**THURSDAY, NOVEMBER 18, 2021 at 6:30 PM**

**Plymouth City Hall - 9426 Main Street Plymouth, California**

**PLANNING COMMISSION MEETING IN-PERSON OR VIA ZOOM**

**CORONAVIRUS (COVID-19) ADVISORY**

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**William Klapproth, Chair**

Melvin Cossairt, Commissioner  
Jason Ralphs, Commissioner

Stephanie Moreno, Commissioner  
Michael Sullivan, Vice-Chair

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**1. CALL TO ORDER/ROLL CALL:**

Planning Commissioners Present: Melvin Cossairt, Bill Klapproth, Stephanie Moreno, Jason Ralphs

Planning Commissioners

Via Teleconference: None

Planning Commissioners Absent: Michael Sullivan

Staff/Advisory Present: Planning Director Erin Ventura,  
Planning Commission Secretary Dana Knight

Staff Via Teleconference: City Manager Rex Osborn

**2. APPROVAL OF PLANNING COMMISSION REGULAR MEETING AGENDA FOR NOVEMBER 18, 2021**

Motion to approve the Regular Meeting Agenda for November 18, 2021 by Commissioner Moreno, second by Commissioner Ralphs. Motion passed by roll call vote with 4 Yes votes by Cossairt, Moreno, Ralphs and Klapproth; and with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent Sullivan.

**3. PUBLIC COMMENT:**

None

**4. PRESENTATIONS:**

None

**5. CONSENT CALENDAR ITEMS:**

All matters listed under the Consent Calendar are to be considered routine and will be enacted by one motion. If discussion is required, that particular item will be removed from the consent calendar and will be considered separately.

**5.1 APPROVAL OF PLANNING COMMISSION REGULAR MEETING AGENDA MINUTES OF OCTOBER 21, 2021**

Motion to approve the Regular Meeting Agenda for November 18, 2021 by Commissioner Cossairt, second by Commissioner Moreno. Motion passed by roll call vote with 4 Yes votes by Cossairt, Moreno, Ralphs and Klapproth; and with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent Sullivan.

**6. PUBLIC HEARINGS:**

**6.1 ADOPT A RESOLUTION OF THE PLANNING COMMISSION (2021-02) OF THE CITY OF PLYMOUTH TO MAKE A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT THE AMENDMENTS TO TITLE 19 OF THE MUNICIPAL CODE ADDING CHAPTER 19.90, SHORT TERM RENTALS**

**RECOMMENDATION:** Hold Public Hearing, receive public testimony, review, discuss, and Adopt Resolution 2021-02

Motion to adopt Resolution 2021-02 with amendments stated by the Commission to make a recommendation to the City Council to adopt the amendments to Title 19 of the Municipal Code adding Chapter 19.90, Short Term Rentals by Commissioner Ralphs, second by Commissioner Moreno.

Motion passed by roll call vote with 4 Yes votes by Cossairt, Moreno, Ralphs and Klapproth; and with 0 No votes and 0 Abstain votes. With 1 Commissioner Absent Sullivan.

**7. UNFINISHED BUSINESS**

**7.1 DISCUSSION AND DIRECTION REGARDING MOBILE VENDING WITHIN THE CITY AND POSSIBLE AMENDMENTS TO THE PLYMOUTH MUNICIPAL CODE SECTION 19.84.040**

**RECOMMENDATION:** Hold a discussion, take public comment, and direct staff to draft an amendment to the PMC section 19.84.040.

**SPOKE:** Will Pritchard spoke on behalf of the Amador Brewing Company of which he is the manager and majority owner. He stated that he has an Administrative Use Permit from 2014 and he is hoping it will be honored in this process of regulating Mobile Food Vendors. His business utilizes food trucks 2-3 times a week and they are an integral part of his operation. He understands the need for regulations, but is hoping that Host Properties be considered, not just the food trucks themselves.

The Public Hearing was closed, and it was decided by the Commission that this topic will come back at a later meeting with suggested changes to possibly amend the Plymouth Municipal Code regarding Mobile Vending.

**8. NEW BUSINESS**

None

**9. REPORTS**

- Commission
  - Commissioner Moreno would like to have the codes for Cottage Industry type selling reviewed at a future meeting. She also asked if the chicken ordinance revisions that the Commission worked on can go to the City Council for review and possible action.
- Chairperson - None
- Planning Director
  - Planning Director Erin Ventura and Chair Klaproth agreed that the Planning Commission meeting scheduled for December 16, 2021 will be canceled if nothing urgent comes up between now and then.
- City Staff - None

**10. ADJOURNMENT – 9:00 PM**

The next regularly scheduled Planning Commission Meeting date is tentatively scheduled for December 16, 2021. Planning Commission Meetings begin at 6:30 PM.

Respectfully submitted,

*//s//*

Dana Knight

Planning Commission Secretary



# 6.1



# City of Plymouth

## Planning Commission Meeting Staff Report

### Item 6.1

**Date:**

January 20, 2022

**Report by:**

Erin Ventura, Planning Director

**Policy, Program, Project or Issue Title:**

Amendments to the Plymouth Municipal Code, Title 19, Chapter 19.84.040, Outdoor Sales and Display, and 19.98.020, General Definitions

**Issue Statement & Discussion:****BACKGROUND**

At the Planning Commission meeting of August 5, 2021, a discussion was held regarding Mobile Vendors within the City. The Commission felt it was appropriate to continue the discussion and revise the code if needed.

The City has seen an increased interest in mobile vendors within the City over the last 2 years. To accommodate these vendors during the Covid Pandemic, staff issued Temporary Use Permits to allow operations.

The Plymouth Municipal Code (PMC) does not specifically regulate mobile food vendors, it only regulates the selling of merchandise directly from trucks. PMC 19.84.040 D allows selling merchandise directly from a truck along the Highway Scenic Corridor, Downtown Historic Overlay District, and residential zoning districts with a Conditional Use Permit.

At the November 18, 2021 Planning Commission meeting, direction was provided to bring back a slightly revised code to reduce some of the burden on mobile vendors, changing the required permit from a Conditional Use Permit (for trucks) to an Administrative Use Permit. Changing the required permit reduces processing time and fees.

The other change that is being proposed is to PMC Chapter 19.98, Glossary. The Code currently does not define mobile vendors. The following definition will be added to Chapter 19.98.020, General Definitions.

“Mobile vendor” means a business that moves from place to place, or which is able to move from place to place, selling or delivering food or goods in the city.

Staff has taken all comments and drafted redlines for Planning Commission review and recommendation to City Council for adoption into an ordinance.

**NEXT STEPS**

Review, take public comment, and make a recommendation for adoption to the City Council.

**Attachment:**

1. Planning Commission Resolution No. 2022-01
2. PMC Title 19, Chapter 19.84.040, Outdoor Sales and Display, and Chapter 19.98.020, General Definitions (redlines)

**Fiscal Impact:**

Current work has not had a fiscal impact outside of standard work covered by the planning staff.

**Staff Recommendation:**

Adopt Resolution 2022-01 of the Planning Commission, recommending amendments to the Plymouth Municipal Code, Title 19, Chapter 19.84.040, Outdoor Sales and Display, and 19.98.020, General Definitions, be adopted by the City Council.

**CITY OF PLYMOUTH**

**RESOLUTION NO. 2022-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLYMOUTH TO MAKE A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT AMENDMENTS TO TITLE 19 OF THE MUNICIPAL CODE CHAPTER 19.84.040, OUTDOOR SALES AND DISPLAY, AND 19.98.020, GENERAL DEFINITIONS**

**WHEREAS**, August 5, 2021 and November 18, 2021, the City of Plymouth Planning Commission took public testimony, and discussed and reviewed proposed amendments to Title 19 of the Municipal Code regarding mobile vending within the City; and

**WHEREAS**, on January 20, 2022, the City of Plymouth Planning Commission conducted a public hearing, and discussed and reviewed proposed amendments to Title 19 of the Municipal Code regarding mobile vending within the City; and

**WHEREAS**, the Planning Commission is the appropriate authority to hear and make recommendations on this proposed ordinance; and

**WHEREAS**, the Planning Commission of the City of Plymouth has conducted a properly noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PLYMOUTH** that the Commission recommends City Council adoption of the amendments of Title 19 of the Municipal Code (**Attachment A**), subject to the following findings:

A. California Environmental Quality Act (CEQA):

The California Environmental Quality Act (Section 21000 et seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed amendments constitute a project under CEQA.

The proposed project is exempt from CEQA under CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption).

B. The Planning Commission finds that these amendments should be adopted by the City Council because Mobile Vending has been gaining popularity over the last couple of years. The City's current regulations in place and these regulations are designed to reasonably regulate this use in the City.

C. This recommendation to the City Council for amending Chapter 19.84.040, Outdoor Sales and Display, and Chapter 19.98.020, General Definitions, in the Plymouth Municipal Code is consistent with Chapter 19.26, which requires that a Zoning Amendment be consistent with the General Plan goals, policies, and implementation programs. The proposed Municipal Code amendments are in compliance with the Plymouth General Plan policies, goals, and programs 3Z, 3BB, and GP3.1.

**PASSED AND ADOPTED** by the Planning Commission of the City of Plymouth on the 20th day of January 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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William Klaproth, Chairman

**ATTEST:**

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Maria De La Torre, Deputy City Clerk

## Section 19.84.040 Outdoor Sales and Display

- A. Limited Outdoor Sales.** All indoor uses shall be conducted within a completely enclosed structure. Any outdoor display and sales not specifically allowed by the use class or any other provision of this Title shall be conducted only if approved by the Planning Director pursuant to Section 19.14.030 (Administrative Use Permit), with the exception of display and sales subject to the provisions of Subsection 19.84.040.C (Outdoor Nursery and Building Improvement Sales).
- B. Sales and Display in Front of Buildings.** Merchandise, such as sale items, shall not be displayed outside in the front of a building unless an Administrative Use Permit has been granted pursuant to Section 19.14.030 (Administrative Use Permit). The display shall not take place on public sidewalks.
- C. Outdoor Nursery and Building Improvement Sales.** If the outdoor sale of nursery and building improvement items is allowed, these items may be sold from one exterior yard that is adjacent to the primary building and is attractively screened from public view from any adjoining properties and public rights-of-way by appropriate walls, fencing, and landscaping. Plants and building improvement items shall be displayed and sold inside the screened area only.
- D. ~~Sales from Trucks~~ Mobile Vendors.** ~~Mobile Vendors s~~Selling merchandise and/or food directly from a mobile vending truck is prohibited within the Highway Scenic Corridor and Downtown Historic Overlay Districts, and within all residential Zoning Districts within the City is prohibited, except with the issuance of an ~~Conditional Use~~Administrative Use Permit.
- E. Maximum Area.**
1. The area used for permanent outdoor display and sales of materials shall not exceed 10 percent of the gross floor area of the corresponding commercial building (unless authorized by a use permit). (Ord 2014-01)
  2. The aggregate display area shall not exceed 25 percent of the linear frontage of the store front or six (6) linear feet, whichever is greater, and items may not project more than four (4) feet from the storefront.
  3. Vehicle and equipment sales and rentals (e.g., automobile, boat, RV, construction equipment) are exempt from this requirement, provided storage and display is limited to vehicles offered for sale or rental only and all other development requirements are satisfied.
- F. Height Limit.** Displayed outdoor sales, other than plant materials for sale (e.g., Christmas trees, nursery trees) shall not exceed a height of six (6) feet above finished grade, unless a greater height is allowed through use permit approval.
- G. Dust.** All unimproved parking areas and main walk areas shall be kept damp or shall be covered with a material to prevent the raising of dust.

**Section 19.98.020**      **General Definitions**

“Mobile vendor” means a business that moves from place to place, or which is able to move from place to place, selling or delivering food or goods in the city.

